

NOT FOR PUBLICATION

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America,)	No. CR04-0589-PHX-SRB
)	CV05-0588-PHX-SRB
Petitioner,)	ORDER
)	
vs.)	
)	
Ismael Mayorquin-Delgado,)	
)	
Respondent.)	
)	

Respondent, Ismael Mayorquin-Delgado, filed a Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 on February 22, 2005. Petitioner filed its response in opposition on May 10, 2005. Respondent did not file a reply.

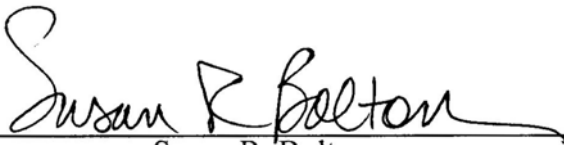
The Magistrate Judge filed her Report and Recommendation on March 10, 2006 recommending that Petitioner's Motion to Vacate, Set Aside, or Correct Sentence be dismissed. In her Report and Recommendation the Magistrate Judge advised the parties that they had 10 days from the date of service of a copy of the Report and Recommendation within which to file specific written objections with the Court. The time to file such objections has long since expired and no objections to the Report and Recommendation have been filed.

1 The Court finds itself in agreement with the Report and Recommendation of the
2 Magistrate Judge.

3 IT IS ORDERED adopting the Report and Recommendation of the Magistrate Judge
4 as the order of this Court.

5 IT IS FURTHER ORDERED that Respondent's Motion to Vacate, Set Aside, or
6 Correct Sentence is dismissed. (Doc. 28).

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8 DATED this 29th day of June, 2006.

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12 Susan R. Bolton
13 United States District Judge
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